

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

MEMORANDUM AND ORDER

This matter is before the Court upon the filing of plaintiff's amended complaint. Having reviewed the amended complaint pursuant to 28 U.S.C. § 1915, the Court will order the Clerk to issue process or cause process to be issued on the amended complaint.

The Complaint

Plaintiff, an inmate at Southeast Correctional Center, brings this action pursuant to 42 U.S.C. § 1983 alleging violations of his civil rights. Named as defendants are: Steve Atchinson (correctional officer); Buddy McClane (correctional officer); Brian Hoskins (correctional officer); Deborah Vinson (Director of Nursing); Felicia Dobbs (nurse); Unknown Brock (doctor); Stephanie Kasting (nurse) and J. Cofield (Regional Director, Correctional Medical Services). Defendants are named in both their individual and official capacities.

Plaintiff asserts that defendants Hoskins, Atchinson and McClane failed to protect him from an assault by another inmate. Plaintiff additionally claims that these defendants placed him back in a cell where mace/pepper spray chemicals were still lingering without first cleaning the cell or providing plaintiff with products to clean the cell himself.

Plaintiff alleges that the medical defendants, presumably employees of Correctional Medical Services, were deliberately indifferent to/failed to provide him with, medical and mental health care which he needed as a result of the attack. Plaintiff also seeks to enjoin an alleged policy upheld by defendants Hastings and Cofield, wherein “offenders are required to submit (3) medical service request forms before being seen by a doctor.”

The Court finds that plaintiff’s claims survive initial review at this time. As such, the Court will order the Clerk to serve process on defendants.

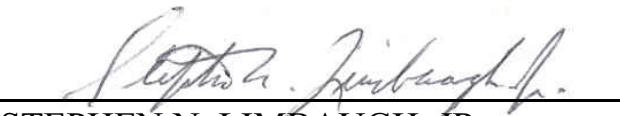
Accordingly,

IT IS HEREBY ORDERED that the Clerk shall issue process or cause process to issue upon the amended complaint.

IT IS FURTHER ORDERED that, pursuant to 42 U.S.C. § 1997e(g)(2), defendants shall reply to plaintiff’s claims within the time provided by the applicable provisions of Rule 12(a) of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that this case is assigned to Track 5B: Prisoner Standard.

Dated this 9th day of March, 2011.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE